



SEASON'S MUSINGS: Starr shares his reflections in a Christmas letter

EXCLUSIVE

Sincerely, Ken Starr

WONDERING what happened to Ken Starr after Whitewater? NEWSWEEK has obtained a copy of Starr's Christmas missive, which (in his own words) provides an update: "Ken ... is currently devoting himself to the campaign finance litigation now unfolding in a special three-judge district court in Washington. He is teaching at NYU Law School, George Mason School of Law, and (as you might expect) Sunday School." With that cleared up, excerpts from Starr's thoughts and hopes for the New Year:

"As lawyers tend to say, we the Starrs shall be brief. Considering the source of that hollow assurance, and in the grand tradition of the legal profession, here is the Starr family 'brief,' our humble pleading for 2002. But how can we turn so immediately inward to family deeds in the face of the great tide of human events flowing all about us ...

"Proudly, this nation, hewn from the vast frontier by those great generations who went before us, stands strong, recovering from the unspeakably horrid destruction visited upon the innocents on that date that rings, like December 7, 1941,

in infamy. Unlike the attack 61 years ago upon America's Greatest Generation, the treachery this time came from those duly admitted into the land of the free and home of the brave. And they used our own instruments of commerce against us. Time for Home-

land Security, one might say.

"We shall prevail. With apologies to no one, we already are prevailing. And not to worry about opinion polls suggesting that our popularity around the globe is sinking faster than one can utter 'NASDAQ.' Americans come from sturdy stock. We gave the world a new birth in freedom, whereas those our forebears left behind in Europe gave us Nazism, Fascism and Communism. (Take note, England is a brave and bold exception to this hothouse of political pathologies.) We'll take the Declaration of Independence and our beloved Constitution any day. And we genuinely seek good, unapologetically standing for principles which everyone should have learned in kindergarten, captured in the Golden Rule and more elaborately in the Universal Declaration of Human Rights. Like many American families, we have a flag on every car and one waving proudly outside our home sweet home."

LAWSUITS Food Fight

New York lawyer Samuel Hirsch weighs 155 pounds, eats tuna for lunch nearly every day and, because he keeps kosher, has never eaten at McDonald's. But when he decided last summer to sue the restaurant chain on behalf of obese teenagers who blamed fast food, he was ridiculed on talk radio and by late-night comics, who said fat people should blame themselves. Last month a federal judge dismissed Hirsch's lawsuit in a sprawling decision (one that invoked both Subway dieter Jared Fogle and Don Gorske, a Wisconsin man who's eaten a Big Mac a day for 30 years). Despite the setback, Hirsch remains resolute. "I'm not going to walk away from this now," he says. "I've become a believer in the cause." And now, Hirsch tells NEWSWEEK, he's targeting companies selling weight-loss products such as herbal supplements. Within weeks, he says, his law firm will

begin placing ads in magazines to invite clients who bought the products but failed to lose weight to join a class-action lawsuit. He also intends to refile the McDonald's case. Round one may have gone to the burger flippers, but this food fight won't be over until the fat lady sings.

-DANIEL MCGINN



FAT SUIT: Taking obesity to the courts

PANHANDLING

Banning Begging

HHEY, MISTER, CAN you spare some change for a lawyer? With a sharp rise in the number of anti-begging ordinances adopted across the country in the past several years, times are tough for the American panhandler. Forty-six of the country's 50 largest cities now regulate begging (Atlanta outlaws "aggressive" begging, and Austin, Texas, bans pan-



DON'T ASK: Cities get tough

handling anywhere in public). But some cities are getting flak for their legislation. Experts say rising homelessness and a crumbling mental-health support system nationwide have caused a marked increase in the number of panhandlers, and some argue that drafting anti-begging ordinances is not the best way to deal with the problem. "It's criminalizing homelessness," says Edward Johnson, staff attorney with the Oregon Law Center. In response, legal-aid groups are gearing up to challenge some of these ordinances as unconstitutional. "If many of these ordinances were challenged they would be thrown out," says Scott Cameron of the New Mexico Center on Law and Poverty in Albuquerque. "Unfortunately, most beggars can't afford lawyers."

-PAUL TOLME